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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,929	12/03/2003	Chiyoko Matsumi	33216M076	4475

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EXAMINER

PYO, MONICA M

ART UNIT PAPER NUMBER

2161

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/725,929	MATSUMI ET AL.	
	Examiner	Art Unit	
	Monica M. Pyo	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/04, 5/04, 5/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are present for examination and these claims are rejected.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 4/14/2004, 5/24/2004, and 5/11/2006 was filed and considered by the Examiner. However, following U.S. Patent Documents were not considered by the Examiner because these documents were unsuccessful retrieving: U.S. 2001/026504 by NONAKA et al. ; U.S. 2002/164152 by KATO et al. ; U.S. 2003/103604 by KATO et al.

Specification

3. The specification has not been checked to the extend in determining presence of all errors. Applicant's cooperation is requested to determine any additional error of which applicant become aware in the specification. (i.e. minor spacing error on pg. 3, line 10, the term "a recordmedium" should be changed to "a record medium"; pg. 3, lines 10-11, the phrase "a recordingandreproducingmethod" should be changed to "a recording and reproducing method").

Claim Objections

4. Claims 4 and 8 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 1 or 2 or 3. See MPEP § 608.01(n). Accordingly, the claims 4 and 8 have not been further treated on the merits.
5. Claim 9 is objected to because of the following informalities:
 - It is unclear whether or not the phrase "said file" of line 4 is referring to the phrase "parameter information file" of line 3. Clarification is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-7 and 9-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 02/41319 A2 by Nuys (hereafter Nuys) in view of U.S. Patent No. 6,665,690 issued to Kimura et al. (hereafter Kimura).

Claims 1 and 11:

Regarding Claim 1, Nuys discloses a recording system, comprising:

a record medium for holding a data file for storing predetermined data and parameter information used to reproduce said predetermined data (pg. 7, lns. 14-20; pg. 22, lns. 4-16; fig. 9-10);

parameter information recording means of recording said parameter information in a parameter information file for storing said parameter information held in said record medium (pg. 7, lns. 21-25); and

the predetermined data stored in said data file by using said recorded parameter information (pg. 7, lns. 26 - pg. 8, lns. 2).

Nuys does not explicitly disclose data reproducing means of reproducing.

However, Kimura explicitly discloses data reproducing means of reproducing (Kimura: col. 4, lns. 24-32).

It would have been obvious to a person with ordinary skill in the art at the time of invention to apply the Kimura's data reproducing system and designation of an extension length into the Nuys' recording a digital media format. Skilled artisan would have been motivated to incorporate the Kimura's teaching of reproducing system and setting the lengths of allocation extents of data of a file in the Nuys' teaching of recording digital media format to utilize the contents of a corresponding one of allocation records (Kimura: col. 1, lns. 29-34).

Claim 11 is also rejected based upon the same reasoning as Claim 1.

Claim 2:

Regarding Claim 2, Nuys and Kimura disclose the system wherein said parameter information recording means extracts the parameter information from said data file and records the extracted parameter information in said parameter information file (Nuys: pg. 9, lns. 26 – pg. 10, lns. 4).

Claim 3:

Regarding Claim 3, Nuys and Kimura disclose the system wherein the parameter information stored in said data file is also stored in a predetermined location, and said parameter information recording means obtains said parameter information also stored in the predetermined location and records the obtained parameter information in said parameter information file (Nuys: pg. 10, lns. 9-16).

Claim 4:

Regarding Claim 4, Nuys and Kimura disclose the system wherein said record medium holds a plurality of said data files, and said parameter information file stores all of the parameter

information stored in said plurality of data files respectively (Nuys: pg. 11, lns. 7-17).

Claim 5:

Regarding Claim 5, Nuys and Kimura disclose the system wherein said plurality of data files are given unique data file IDs respectively by using order in which said parameter information file stores said parameter information (Kimura: pg. 12, lns. 26- pg. 13, lns. 5).

Claim 6:

Regarding Claim 6, Nuys and Kimura disclose the system wherein said data files have positions in which they are held by said record medium managed by using said given unique data file IDs (Nuys: pg. 13, lns. 6-13).

Claim 7:

Regarding Claim 7, Nuys and Kimura disclose the system wherein said parameter information file stores the parameter information stored in said plurality of data files of data files respectively by using classification according to a type of said predetermined data. (Nuys: pg. 7, lns. 21-25) and (Kimura: col. 4, lns. 58-col. 5, lns. 5).

Claims 9, 13, 16 and 19:

Regarding Claim 9, Nuys and Kimura disclose a recording apparatus, comprising: parameter information recording means of recording parameter information in a parameter information file for storing said parameter information, said file held in a record medium for holding a data file for storing predetermined data and said parameter information used to reproduce said predetermined data, wherein the predetermined data stored in said data file is reproduced by using said recorded parameter information (Nuys: pg. 7, lns. 21-25; pg. 10, lns. 9-16) and (col. 4, lns. 24-32).

Claims 13, 16 and 19 are also rejected based upon the same reasoning as Claim 9.

Claims 10, 14, 17 and 20:

Regarding Claim 10, Nuys and Kimura disclose a reproducing apparatus, comprising:
data reproducing means of reproducing predetermined data stored in a data file by using
parameter information recorded in a parameter information file held by a record medium for
holding said data file for storing the predetermined data and the parameter information used to
reproduce said predetermined data and the parameter information file for storing said parameter
information (Nuys: pg. 7, lns. 26-pg. 8, lns. 2; pg. 11, lns. 7-17) and (Kimura: col. 4, lns. 24-32).

Claims 14, 17 and 20 are also rejected based upon the same reasoning as Claim 10.

Claims 12, 15 and 18:

Regarding Claim 12, Nuys and Kimura disclose a recording and reproducing method,
comprising:

a parameter information recording step of recording parameter information in a parameter
information file held by a record medium for holding a data file for storing predetermined data
and the parameter information used to reproduce said predetermined data and a parameter
information file for storing said parameter information (Nuys: pg. 7, lns. 14-25); and

a data reproducing step of reproducing the predetermined data stored in said data file by
using said recorded parameter information (Nuys: pg. 7, lns. 26 - pg. 8, lns. 2) and (Kimura: col.
4, lns. 24-32).

Claims 15 and 18 are also rejected based upon the same reasoning as Claim 12.

Art Unit: 2161

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nuys in view of Kimura, and further in view of U.S. Patent Application Publication No. 2003/0012549 by Ohnuma et al. (Ohnuma).

Claim 8:

Regarding Claim 8, Nuys and Kimura disclose the system wherein said data file further stores information on said predetermined data, and information recording means of recording said information in information file for storing said information held in said record medium is further provided (Nuys: pg. 7, lns. 14-25).

Nuys and Kimura do not explicitly disclose the meta-data.

However, Ohnuma discloses the meta-data (Ohnuma: [0048], lns. 10-17; [0049], lns. 1-8).

It would have been obvious to a person with ordinary skill in the art at the time of invention to apply the Ohnuma's recording and utilizing meta-data information into the Kimura's data reproducing system and designation of an extension length and the Nuys' recording a digital media format. Skilled artisan would have been motivated to incorporate the Ohnuma's teaching of registering meta-data information in the Kimura's teaching of reproducing system and setting the lengths of allocation extents of data of a file and the Nuys' teaching of recording digital media format to utilize specific contents of the meta-data information (Ohnuma: [0033]).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon-Fri 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

5/27/06

Monica M Pyo
Examiner
Art Unit 2161

Cammy
Cam y Tuong
primary Examiner